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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/687,905	10/17/2003	Romeo Joseph D. Garcia JR.	GP-303342	1947

7590 05/03/2006

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EXAMINER

TO, TOAN C

ART UNIT

PAPER NUMBER

3616

DATE MAILED: 05/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/687,905	Applicant(s) GARCIA ET AL.	
	Examiner Toan C. To	Art Unit 3616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 15 February 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-10 and 15-19 is/are rejected.
- 7) ☒ Claim(s) 3, 11-14, 20 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-2, 4-10, and 15-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Hamada et al (U.S. 6561,543).

Hamada et al discloses a device for detecting presence of a child restraint seat when the child restraint seat is attached to a vehicle seat, the device comprising: an anchorage (50) having at least one coupler (50B) adapted to couple with a complementary coupler (44) on the child restraint seat (42) to retain the child restraint seat on the vehicle seat (14); the anchorage being movable with respect to the vehicle seat and being biased to a first position with respect to the vehicle seat, the first position (see figure 4) being indicative of an absence of the child restraint seat attached to the anchorage (50), and a position sensor (54) attached to the anchorage (50) for detecting movement of the anchorage (50) to a second position with respect to the vehicle seat, thereby indicating a child restraint seat is attached to the anchorage, the position sensor (54) being adapted to transmit a signal to an air bag controller when moved to the second position; wherein the anchorage (50) is biased to the first position by at least

Art Unit: 3616

one spring (56); wherein, the anchorage is resilient and deflected from the first position to the second position (movement of the rod 50 from the first position as shown in figure 3 to second position of the rod 50 as shown in figure 6); wherein the vehicle seat includes a seat back frame (element 36 as shown in figure 2), the anchorage (50) being attached to the seat back frame by a cross bar (46) adapted to be mounted between two vertically extending seat back frame members which are horizontally spaced from one another (elements 36 as shown in figure 2) comprising the seat back frame; wherein the anchorage (50) comprises an anchorage bar extending along the cross bar and having two couplers at spaced locations thereon (figure 2 shows left and right fixture attachments of the child seat for attaching to two different locations of the rod 50; therefore, the rod 50 is considered to have two different couplers at the two different locations); wherein the anchorage bar(50) is resilient and is fixed to the cross bar at a portion of the anchorage bar, a second portion of the anchorage bar having the couplers thereon and being deflectable with respect to the first portion; wherein the couplers are loops (loop 92 in figure 13) disposed adjacent to opposite ends of the anchorage bar; wherein the cross bar (46) has a load limiter surface (surface of fixture bar which in contact with the rod 50) thereon which engages the anchorage bar (50) when the bar deflects to the second position; wherein the position sensor (54) is mounted on a plate (70) extending between the loops that define the couplers.

***Allowable Subject Matter***

3. Claims 3, 11-14, and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Response to Arguments***

4. Applicant's arguments filed February 15, 2006 have been fully considered but they are not persuasive. The prior art as to Hamada et al still read on the claimed limitations.

In response to applicant's arguments that in Hamada et al "the structure corresponding to the claimed anchorage bar is the "fixture bar 46" but not the movable bar 50", the examiner respectfully disagrees because the following reasons: according to Merriam Webster's Collegiate Dictionary "anchorage" is defined as a means of securing, and the movable bar 50 of Hamada et al is capable of securing the spring 56 within the cavity of the base body 52, in other words, the movable bar 50 acts as a means of securing the spring 56 within the cavity of the base body 52, and since claims 1 and 15 broadly recite "an anchorage bar ... for coupling with the couplers on the child restraint seat" but do not positively recite the anchorage bar anchors the child seat, therefore the examiner's interpretation of the movable bar 50 corresponding to the claimed anchorage bar is considered proper.

***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

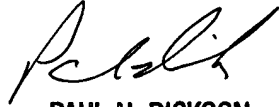
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Toan C. To whose telephone number is (571) 272-6677. The examiner can normally be reached on Mon-Fri (8:00-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on (571) 272-6669. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3616

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TTo  
April 24, 2006

 5/1/06  
**PAUL N. DICKSON**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 3600**